

## **---Minutes: Leesburg Planning Commission June 21, 2001**

The Leesburg Planning Commission met on Thursday, June 21, 2001 at 7:00 p.m. in Council Chambers at 25 West Market Street, Leesburg, VA. Staff members present for the meeting were Delane Parks, Brian Boucher, Randy Hodgson, Paul Gauthier, Andrew Russell and Jennifer Moore.

### **CALL TO ORDER:**

The meeting was called to order at 7:05 p.m.

### **ROLL CALL:**

Present: Vice-Chairman Cable  
Commissioner Kennedy  
Commissioner Werner  
Commissioner Schonberger  
Commissioner Zawacki  
Councilmember Umstattd

Absent:  
Chairman Vaughan

### **ADOPTION OF AGENDA:**

Commissioner Werner made a motion to adopt the agenda.

Commissioner Zawacki asked to amend the agenda to move item ZM-00-07 to the top of the agenda.

Motion: Werner  
Second: Zawacki  
Carried: 4-0 – Schonberger not present

### **Approval OF MINUTES:**

Commissioner Kennedy made a motion to approve the minutes of June 7, 2001 as submitted.

Motion: Kennedy  
Second: Zawacki  
Carried: 4-0, Schonberger not present

**CHAIRMAN'S STATEMENT:**

None

**REMARKS BY PETITIONERS:**

None

**COMPREHENSIVE PLANNING ITEMS**

**ZM 2000-07 – CATOCTIN SQUARE – Randy Hodgson**

Mr. Hodgson stated that the applicant has requested that this item be deferred to the July 19<sup>th</sup> meeting.

**PUBLIC HEARING:**

**ZOAM-01-03 – SPECIAL EXCEPTIONS – Brian Boucher,  
Zoning Administrator**

Mr. Boucher stated that the purpose of this amendment is to give the public more of an opportunity to learn about special exceptions in the process, by requiring a Planning Commission public hearing. This will require newspaper notice, certified mail to adjacent property owners and posting of the property at a much earlier date so that citizen input can be given to the Commission.

Mr. Boucher stated that he has prepared the draft motion if the Commission chooses to act on the amendment this evening.

There being no public comment, the public hearing was closed.

Commissioner Kennedy made a motion to suspend the 10-day waiting period to vote on this item

Motion: Kennedy  
Second: Werner  
Carried: 4-0, Schonberger not present

Commissioner Kennedy made a motion to approve the amendment as written.

Motion: Kennedy  
Second: Werner  
Carried: 4-0, Schonberger not present

**SUBDIVISION AND LAND DEVELOPMENT:**

None

**ZONING ITEMS**

**PRE-PUBLIC HEARING LAND DEVELOPMENT FEE AMENDMENTS –  
Delane Parks, Planner II and Andrew Russell, Budget Analyst**

Mr. Russell stated that on June 12<sup>th</sup> the Town Council adopted a resolution to begin the process of amending the Town's review fees and inspection fees. The next step in the process was to bring the information to the Planning Commission in preparation for a public hearing on July 5, 2001.

Mr. Russell stated that staff has done initial review of fees and is recommending moderate increases and Mr. Russell went over those changes with the Planning Commission.

Mr. Russell stated that these fees have not been updated or changed since 1996 and that is the main reason for the review. He stated that staff feels that in order to maintain a high level of service it is important to update the fees.

Mr. Russell went over some figures with the Commission regarding the money spent and the money recouped on plan review. Mr. Russell also stated that in comparison with other local jurisdictions, even with the fee increases, the Town's recovery rate is still significant less than surrounding jurisdictions.

Mr. Parks came forward and went over some comparisons with the Commission on how the staff arrived at the increased figures.

Commissioner Zawacki asked if any provisions had been made for non-profit organizations. Mr. Parks stated that the only thing that was done is that under special exceptions instead of the proposed \$3,000.00 fee, staff is recommending this fee be \$1,000.00 for non-profit organizations. Mr. Gauthier stated that to treat everyone equally and fairly the fees have to be the same across the board.

Vice-Chairman Cable suggested maybe offering some relief to smaller projects by calculating the time spent on plan review, compared to the larger projects and giving a refund after review is completed. Mr. Gauthier stated that the Town does have a way of handling projects where they do not pay fees and that is a no adverse impact project.

Councilmember Umstattd stated that she would like to see the fees increase so that the developers are paying for the development and not the taxpayers of the Town.

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Commissioner Kennedy stated that he would like to see the Town move to recoup a higher percentage in the near future.

Commissioner Werner stated that she as well would like to see the fees raised to cover more than 50%.

Commissioner Werner asked if when the staff looked at these figures, were they trying to encourage or discourage a certain type of development. Mr. Parks stated that staff did not go into that much detail, they simply did a lot of comparisons and came up with comparable figures.

Commissioner Werner stated that she is concerned that should the Town try to raise its rates again in the near future there may be more that would oppose it and use the argument that the Town just raised rates, why should they raise them again so soon and may be a much harder sell.

Councilmember Umstattd stated that she disagrees. She stated that there would always be opposition from the development community, but she believes that staff is trying to make the playing field more level in the short term and then have time to do a very thorough job of researching before reaching for a higher amount that may result in opposition from the development community.

Vice-Chairman Cable asked if 50% was an actual or just a number to strive for at this time. Mr. Russell stated that he believes this is an actual percentage.

Mr. Parks went over the timeline for approval of this project. He stated that staff hopes to implement the new fees beginning October 1, 2001.

Vice-Chairman Cable asked if ESI and NVBIA are aware that the fees may go up again in the near future. Mr. Parks stated that it was mentioned in a meeting with staff and the two firms.

### **DULLES MOTOR CARS – NO ADVERSE IMPACT – Delane Parks, Planner II**

Mr. Parks stated that this is just an information item. He stated that the plans have been certified and approved and zoning permits are in the process of being issued.

Mr. Parks stated that they are proposing to build a small addition onto the existing dealership. He stated that the Engineering Department has reviewed the plans and determined no adverse impact.

Commissioner Kennedy asked if all of the Zoning issues had been addressed on this piece of property. He stated that he is aware that there have been many problems over the past years with this property. Mr. Boucher stated that the owners are seeking to remedy the problems and are processing a plan right now.

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Commissioner Kennedy asked if staff was satisfied with the steps that are being taken to correct any violations that exist on that property. Mr. Boucher stated that he is satisfied.

Vice-Chairman Cable asked if someone from Zoning reviews all no adverse impact plans for zoning compliance. Mr. Boucher stated that typically zoning does. He also stated that the Planning division is very good about looking for that as well. Mr. Parks stated that staff has weekly plan review for projects that involves all departments that are involved in the review of a set of plans.

### **LOUDOUN COUNTRY DAY SCHOOL – NO ADVERSE IMPACT – Delane Parks, Planner II**

Mr. Parks stated that the applicant is requesting modular classroom additions and staff has determined that this is of no adverse impact to the Town.

### **COUNCIL REPRESENTATIVE'S REPORT:**

Councilmember Umstattd stated the Tree Commission looked at an issue that is going to come before the Planning Commission and that is the Leesburg Plaza Office Building and she would like to defer her comments until John Groothuis, Tree Commission Chairman has a chance to speak.

### **REMARKS BY PETITIONERS**

The Commission agreed to have Mr. John Groothuis come before the Commission and speak. Mr. Groothuis stated that at the June 18<sup>th</sup> meeting of the Tree Commission, they had 14 people arrive at the meeting to discuss the Leesburg Plaza Office Building. He stated that the people at the meeting were very concerned that most of the “old growth” trees on the property are going to be removed.

Mr. Groothuis stated that the Tree Commission would like to request that the Planning Commission and staff speak with the developer to get them to save as many of the trees as possible. He stated that new trees do not give as much canopy coverage as the old trees.

Mr. Groothuis stated that maybe an option would be to push the office building to the front of the property and put the parking in the rear and maybe save some more trees.

Councilmember Umstattd suggested that the Planning Commission send a resolution of support for the Tree Commission to Council. Mr. Groothuis stated that he is planning on speaking at the Town Council worksession on Monday.

Commissioner Kennedy thanked Mr. Groothuis for his comments.

**STAFF AND COMMITTEE REPORTS:**

None

**OLD BUSINESS:**

Commissioner Kennedy asked about the sidewalk along Raflo Park.

**NEW BUSINESS:**

Commissioner Schonberger stated that he would be out of Town for the next meeting.

**ADJOURNMENT:**

There being no further business the meeting adjourned at 8:12 p.m.